

DOCKET NO.: 270257US0X PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF:
Masahiro NISHIMURA, et al.

: GROUP ART UNIT: 1617

SERIAL NO.: 10/533,659

: EXAMINER: KAROL, JODY LYNN

FILED: May 5, 2005

:

FOR: A COMPOSITION FOR REPAIRING INJURED SKIN

DECLARATION UNDER 37 C.F.R. §1.132

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Now comes Takahito KIMURA, who deposes and states that:

1. I received my degree from Niigata University in the year 1991.
2. I have been employed by TEIKA PHARMACEUTICAL CO., LTD. for twelve years as a Director of Laboratory in the field of External Pharmaceutical.
3. I am familiar with testing procedures for external pharmaceutical preparations.

It is known in the art that stirring aptitude and extensibility of ointment preparations can be determined via sensory examination while stirring the preparation with a wooden spatula and spreading the preparation onto gauze with a wooden spatula respectively. Both

properties (i.e., stirring aptitude and extensibility) can be assigned four ranks: very easily stirred/extensible, easily stirred/extensible, difficult to stir/extend, and very difficult to stir/extend. These ranks indicate perceptible differences in their respective properties. By their very perception, these differences in stirring aptitude and extensibility are meaningful differences in ointment preparations.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is believed to be true and correct. 28 U.S.C. §1746(1).

Takayuki Kimura
Signature

Dec. 16, 2008
Date